

July 12, 2016

Planning Commissioners
c/o Planning Commission Secretary
via: rhedges@co.slo.ca.us

RE: DRC2016-00096 Kiler Ridge Olive Farm, proposed Monitor Condition

Dear Commissioners,

Planning staff proposed a condition on page 2 of their staff report regarding post approval monitoring of the project. We believe the condition as written over-reaches your expressed intent.

The building plans for the tasting room and restaurant have been prepared by a licensed architect and will be reviewed for compliance with current building codes regarding handicapped accessibility, occupant load, ingress/egress, electrical, mechanical etc. by the county's building department. A monitor is not required for this portion of the project since licensed professionals are responsible for compliance.

The road improvements being required by Cal Fire were accepted under repair and maintenance work to be performed on the existing access road. The road plans were prepared by a licensed civil engineer. Fredericks Paving will be performing the work and a licensed soils firm will be performing the compaction test required by Cal- Fire. Again, a monitor is not required for this portion of the project since licensed professionals are responsible for compliance.

The applicants have complied with the County's requirements of moving their tasting room outside and petitioned to mill off-site olives each year since this application was submitted approximately 2 ½ years ago. The applicants are willing to submit a written report of compliance on an annual basis to the Planning Commission knowing that non-compliance will lead to an enforcement case with the consequences as outlined in the land use ordinance.

However, if your Commission is concerned about compliance, then the proposed condition below addresses the concerns expressed by your Commission outside the purview of licensed professionals. We believe your concerns were regarding compliance with the hours of operation and with the number of occupants.

Proposed Condition

The applicant shall provide the funding for a County Condition Compliance Monitor to oversee and monitor compliance with the County Conditions of Approval regarding hours of operation and activities as specified in condition 1g.

The condition compliance monitor will prepare a working monitoring plan that reflects the County approved conditions of approval regarding hours of operation and activities as specified in condition 1g. The plan will include 1) responsibilities and procedures for verifying compliance with the County Conditions of Approval; 2) methods and time frames for

reporting; and 3) action to be taken in the event of non-compliance. The condition compliance monitor shall be under contract to the county of San Luis Obispo, and, the entire expense of retaining and supervising the Condition Compliance Monitor, including the County's administrative and overhead fees, shall be paid by the applicant. The monitoring of the hours of operation and activities per condition 1g shall be for 2 years.